

Notice of Allowability

Application No.

10/755,767

Examiner

Dana Ross

Applicant(s)

GRABBE, DIMITRY G.

Art Unit

3722

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Application filed 12 January 2004.
2. ☒ The allowed claim(s) is/are 1-4 and 19-32.
3. ☒ The drawings filed on 12 January 2004 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
 - * Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date 5/28/04
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with John Augustyn on September 13, 2004.

The application has been amended as follows:

In the claims:

Claim 1 (Amended) An apparatus for forming a multi fiber optical ferrule comprising:

a broach having a rotary shaft rotatable about a horizontal axis, the broach comprising a contour formed along its outer periphery and a cut out section extending transverse to the outer periphery and parallel to the axis to form a cutting surface having a contour; and,

a carrier positioned under the cutting tool and movable thereunder to guide a work piece along the cutting surface.

Claim 30 (Amended) A method for machining a multi fiber optical ferrule comprising:

providing a blank for a fiber optic ferrule[.],

providing a broach having a rotary shaft rotatable about a horizontal axis, a broach comprising a contour formed along its outer periphery and a cut out section extending transverse to the outer periphery and parallel to the axis to form a cutting surface having the contour;

providing a carrier positioned under the cutting tool and movable thereunder to guide the blank along the cutting surface.

Allowable Subject Matter

2. Claims 1-4 and 19-32 are allowed.

3. The following is an examiner's statement of reasons for allowance: The prior art of record neither anticipates nor renders obvious an apparatus for forming a multi fiber optical ferrule or method for machining a multi fiber optical ferrule as claimed in claims 1 and 30, respectively, specifically wherein there is a broach having a rotary shaft rotatable about a horizontal axis and the cut out section as claimed is parallel to the axis.

The closest prior art of record found is U.S. Pat. No. 6,409,442 (Berkold et al., hereafter referred to as '442).

'442 teaches a CNC controlled rotary broach 20 with twist motor 35 having a shaft attaches to an upper broach holder 31 and a lower broach holder 17, a contour around the broach 20 including broaching section 39 which includes threaded "cut out" sections (fig. 2, for example); holder 17 includes a puller 36 which can be moved into a recess formed underneath a workpiece seat 18 on the lifting table (carrier) 10 (col. 3, lines 14-27, fig. 2, for example).

'442 does not teach a rotary shaft rotatable about a horizontal axis.

Therefore '442 does not anticipate the claimed invention of claim 1 or 30.

There is no motivation to modify '442 such that the vertical broaching system is rotatable about a horizontal axis and furthermore, the invention of '442 would not operate as is intended with the support of the workpiece on the carrier as it moves along the length of the broach.

Additionally, there is no prior art of record, either alone or in combination with '422, that would render obvious the claimed invention of claims 1 and 30.

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Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."


Conclusion

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dana Ross whose telephone number is 703-305-7764. The examiner can normally be reached on Mon-Thurs 6:00am to 4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrea Wellington can be reached on 703-308-2159. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

dmr


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